

1 ROBERT P. VARIAN (STATE BAR NO. 107459)
rvarian@orrick.com
2 JAMES N. KRAMER (STATE BAR NO. 154709)
jkramer@orrick.com
3 JUSTIN M. LICHTERMAN (STATE BAR NO. 225734)
jlichterman@orrick.com
4 JOSHUA D. WATTS (STATE BAR NO. 240977)
jwatts@orrick.com
5 ORRICK, HERRINGTON & SUTCLIFFE LLP
The Orrick Building
6 405 Howard Street
San Francisco, CA 94105-2669
7 Telephone: +1-415-773-5700
Facsimile: +1-415-773-5759
8

9 Attorneys for Defendant
NVIDIA CORPORATION

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION
13

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15 The NVIDIA GPU Litigation
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Case No. C 08-04312 JW

**STIPULATION REGARDING
NVIDIA'S RESPONSE TO SECOND
AMENDED CONSOLIDATED
COMPLAINT**

1 WHEREAS, this Court in its Order Granting In Part and Denying In Part Defendant's
2 Motion to Dismiss dated November 19, 2009 directed Plaintiffs to file their Second Amended
3 Consolidated Complaint on or before December 14, 2009;

4 WHEREAS, Plaintiffs filed the Second Amended Consolidated Complaint on December
5 14, 2009;

6 WHEREAS, NVIDIA Corporation's ("NVIDIA's") response to the Second Amended
7 Consolidated Complaint must currently be filed by December 31, 2009;

8 WHEREAS, the parties are actively engaged in mediation as a possible resolution to this
9 action and participated in their first mediation session on December 16, 2009;

10 WHEREAS, the parties currently have scheduled on January 8, 2009 a follow-up call with
11 their mediator, the Honorable Layn R. Philips (Ret.), in order to further such discussions;

12 WHEREAS, in light of the holiday season, NVIDIA has scheduling issues which impact
13 its ability to respond to the Second Amended Consolidated Complaint by December 31, 2009;

14 WHEREAS, an extension until January 15, 2010 for NVIDIA's response to the Second
15 Amended Consolidated Complaint would allow the parties further opportunities to explore
16 mediation as a means of resolving this action before responding to the Second Amended
17 Consolidated Complaint; and

18 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs and NVIDIA,
19 through their counsel of record and Interim Lead Class Counsel for Plaintiffs, that NVIDIA may
20 respond to the Second Amended Consolidated Complaint by January 15, 2010.

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22 Dated: December 30, 2009

ROBERT P. VARIAN
JUSTIN M. LICHTERMAN
JOSHUA D. WATTS
Orrick, Herrington & Sutcliffe LLP

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26 /s/ Joshua D. Watts
JOSHUA D. WATTS
Attorneys for Defendant
27 NVIDIA CORPORATION
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1 Dated: December 30, 2009

JEFF S. WESTERMAN
SABRINA S. KIM
Millberg LLP

4 /s/ Jeff S. Westerman

JEFF S. WESTERMAN
Interim Lead Class Counsel for
Plaintiffs and All Others Similarly Situated

7 The filer attests that concurrence in the filing of the document has been obtained from
8 each of the other signatories, or from the single signatory (in the case, e.g., of a declaration)
9 which shall serve in lieu of their signature(s) on the document.
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12 IT IS SO ORDERED:

13 DATE: February 3, 2010

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UNITED STATES DISTRICT JUDGE